

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.07.2015

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Cr1.OP No.18337 of 2015 and
M.P.No.1 of 2015

K.Jayaraj

Petitioner

Vs

1.The Inspector of Police,
All Women Police Station,
Chidambaram
(In Crime No.9 of 2012)

2.P.Kalaiyarasi

Respondents

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C., to call for the entire records pertains to the proceedings in C.C.No.231 of 2012 on the file of the learned Judicial Magistrate No.1, Chidambaram and to quash the same.

For Petitioner :Mr.J.Ramakrishnan

For R.1 :Mr.C.Emalias,
Additional Public Prosecutor

ORDER

Seeking to quash the case in C.C.No.231 of 2012 on the file of the learned Judicial Magistrate No.1, Chidambaram, the petitioner/accused is before this Court with this petition.

2.Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the first respondent.

3.On a reading of the final report, it appears that the petitioner/accused was in love with the defacto complainant and on the promise to marry her, he had physical affairs with her and thereafter, he refused to marry her. Therefore, the defacto complainant lodged the present complaint and based on the same, a case in Crime No.9 of 2012 has been registered. After investigation, the respondent police filed a final report in C.C.No.231 of 2012 which is pending on the file of the learned Judicial Magistrate No.1, Chidambaram.

4.The learned counsel for the petitioner submits that on the date of alleged incident, the petitioner was never in the country and he was in Kuwait.

5.Unfortunately, this Court cannot go into disputed question of fact and that has to be decided by the trial Court.

6.In the result, the Criminal Original Petition is dismissed with liberty to the petitioner to raise all the points before the trial Court. Since, the case is of the year 2012, the trial Court is directed to expeditiously conduct the trial in C.C.No.231 of 2012 and complete the same, within a period of six months from the date of receipt of a copy of this order. Consequently, connected miscellaneous petition is closed.

jbm

s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

To

- 1.The Judicial Magistrate No.1,
Chidambaram.
 - 2.The Inspector of Police,
All Women Police Station,
Chidambaram.
 - 3.The Public Prosecutor,
High Court, Madras.
- + 1 cc to Mr.J.Ramakrishnan, Advocate SR 37653

ggk(co)
prk6/8

WEB COPY

Cr1.OP No.18337 of 2015